

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M248709  
AFA/

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

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2013-05775

DECISION & ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

Robert W. Keller, et al., respondents,  
v Douglas Kruger, et al., defendants,  
Lockwood, Kessler & Bartlett, Inc., defendant  
third-party plaintiff-respondent-appellant;  
Tully Construction Co., Inc., third-party  
defendant-appellant-respondent.

(Index No. 14274/10)

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Application to withdraw an appeal and cross appeal from an order of the Supreme Court, Kings County, dated March 14, 2013.

Upon the stipulation of the attorneys for the respective parties dated March 9, 2018,  
it is

ORDERED that the application is granted and the appeal and cross appeal are deemed withdrawn, without costs or disbursements.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 12, 2018

KELLER v KRUGER